

Official Proceedings

October 2nd, 2012
8:00 am

Chairman Zander called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Zander asked for any additions to the agenda. Comm. Hoff added Zoning. Auditor Kay Haag added Brian Neurohr offer, Reed Reyman from St. Joseph's, Fair Appointment, and Roy Romanyshyn. Comm. Hoff moved to approve the agenda with the additions. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Elkin moved to approve the minutes from the September 18th, 2012 meeting. Comm. Wolf seconded. All voted Aye and the motion carried.

Comm. Wolf moved to accept the accounts payable as presented plus the supplement. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$163,797.12; Ken Zander: \$111.00; Institute of Local Government: \$40.00; Linda Gingery: \$401.65; West Payment Center: \$620.69; Dakota Water Treatment: \$13.75; Newby's Ace Hardware: \$182.40; SBM Inc: \$1,191.36; ND Recorder's Association: \$100.00; Rudy's Lock & Key: \$68.00; Kathy Schwab: \$45.58; Xerox Corporation: \$1,245.59; Olheiser Masonry: \$2,300.00; Affordable Tree: \$300.00; Consolidated: \$727.02; MDU: \$2,452.70; Roughrider Electric: \$150.00; Southwest Water Authority: \$43.35; City of Dickinson: \$12,022.73; Braun Distributing: \$248.38; Consolidated Plastic's: \$2,131.44; Nitro-Green: \$275.00; T-Rex Conoco Inc: \$396.56; Maintenance Management: \$1,090.00; NDPers: \$20,655.72; Marianne Hoffman: \$150.00; Dickinson Press: \$874.32; Badlands Human Services: \$320.50; Greenwood & Ramsey: \$50.25; Maus & Nordsven: \$677.00; Stutsman County: \$157.50; Cenex Fleet Card: \$5,232.36; Farmers Union Oil of Richardton: \$453.62; Farmers Union Oil of Bismarck: \$3,317.11; Wright Express: \$1,181.05; US Postal Service: \$9.00; Century Link: \$487.00; AT&T Mobility: \$907.99; Office of The State Auditor: \$15,500.00; Duraclean Cleaning Service: \$467.50; Britton Jewelers: \$122.50; Dan's Supermarket: \$109.54; Great Plain's Directory: \$244.85; George Kuchynski: \$58.50; Office Max: \$444.94; Pitney Bowes: \$687.36; Unlimited Office Supplies: \$180.85; WalMart: \$280.55; Elks: \$55.80; Burleigh County: \$24.00; Dickinson Parks & Rec: \$49.92; Grand Harbor: \$332.64; Mid-States Organized Crime Info: \$50.00; Post Board: \$45.00; FBI-Leeda: \$350.00; Great Plains Clinic: \$52.00; Quality Quick Print: \$513.00; Total Safety: \$13.75; Advanced Payment Methods: \$221.13; Superior Cleaner: \$43.00; Wanner Western Wear: \$259.90; Charbonneau Car Center: \$ 347.88; Dickinson Tire: \$2,316.56; O'Reilly Auto Parts: \$3.29; Parkway Ford Sales: \$561.69; R&J Communications: \$360.20; Sax Motor Company: \$67.41; Sure Sign: \$380.00; Sirchie: \$391.26; Tab Electronics: \$60.00; LEC Maintenance: \$7,606.88; Stark County Auditor (Federal Deposit): \$514.06; East End Auto & Truck Parts: \$340.00; Smart Computers: \$75.00;

10 Mill: Kadrmas Lee & Jackson: \$7,000.00; Outback Lumber Supply: \$1,758.08; Ternes Fencing & Bobcat Service: \$3,860.50; ND Department Of Transportation: \$15,396.31;

County Road: Baranko Bros Inc: \$37,935.00; Jurgens Trucking: \$20,297.50; Martin Construction: \$170,595.00; MBI Energy Logistics: \$26,562.75; Edward Schwartz: \$29,547.00; Retriever LLC: \$14,305.00; Dale Christman: \$50.00; Maintenance Management: \$160.00; City Of Belfield: \$22.25; City Of Dickinson: \$83.36; City Of Richardton: \$54.90; Consolidated: \$47.51; MDU: \$285.70; Roughrider Electric: \$595.00; Southwest Water Authority: \$46.84; Century Link: \$56.59; AT&T Mobility: \$57.57; Gerry Dukart: \$28.76; Hedahls Headquarters: \$117.29; Runnings Supply: \$288.05; Service Printers: \$308.90; Total Safety US: \$152.10; West Dakota Oil: \$35.31; Al Heiser: \$165.00; Brody Chemical Comp Inc: \$103.99; Fleet Pride: \$3,398.70; George's Tire Shop: \$224.00; J&J Operating: \$546.36; Nelson International: \$715.00; NW Tire Inc: \$3,078.81; Performance Truck Center: \$187.68; Road Equipment Parts: \$73.93; Trucks of Bismarck: \$669.92; Wallwork Truck Center: \$649.38; Westlie Crossroads: \$279.08; Butler Machinery: \$1,600.61; Certified Power: \$152.75; Dakota Farm Equipment: \$264.10; Ray's Auto Electric: \$552.80; RDO Equipment Co: \$73.24; Southwest Grain: \$39,463.20; Berger Electric: \$434.11; Carquest Auto Parts: \$6.99; Dakota Filter Supply: \$220.83; DTE Truck Equipment: \$28.50; Fastenal: \$29.43; Hoist and Crane: \$800.00; Mac's Inc: \$4.99; Martin Construction: \$128.67; Prairie Auto Parts: \$64.80; Pump Systems LLC: \$69.86; Rummel Auto Wrecking: \$12.00; Z&S Dust Control: \$10,234.00; Trimac Transport: \$3,185.60; Kris Engineering: \$844.82; Northern Improvement: \$905,994.26; Lyle Signs Inc: \$436.17; Coca-Cola Bottling: \$42.00; SD LTAP: \$280.00; North Dakota Department Of Transportation: \$206.65; Kadrmas Lee & Jackson: \$86,404.51;

Highway Tax Distribution: Payroll: \$97,030.18; NDPers: \$21,028.75;

Social Welfare: Payroll: \$151,598.73; NDPers: \$36,315.02; Dell Marketing LLC: \$1,671.60; AT&T Mobility: \$141.09; Wrap around Checks: \$1,260.62; Social Services: \$24,198.62; ND Dept of Human Services: \$5,608.97;

County Poor: ND Dept of Human Services: \$27,760.64;

Information Technology: Consolidated: \$237.90; NDACO Resources: \$7,422.34; Hewlett Packard: \$258.00; Information Technology Dept: \$578.40;

Capital Improvement: Kadrmas Lee & Jackson: \$272.68;

Fair Board: Stark County Fair Board: \$416.67;

County Jail: SWMCCC: \$81,741.78; St Joseph's Hospital: \$186.00;

Comp Health Care: NDPers: \$23,458.44; Blue Cross Blue Shield: \$158.90;

VSO Fund: Payroll: \$6,903.93

Social Security: Stark County Auditor (Federal Deposit) \$30,227.12;

Advertising: The Dickinson Press: \$377.68;

County Agent: Payroll: \$4,137.57; NDPers: \$371.74; NDSU Extension Service: \$26,826.68; Kurt Froelich: \$30.00; Samantha Roth: \$30.00; Consolidated: \$188.36; SBM: \$48.48; NDSU Ag Communication: \$218.00;

Weed Control: Payroll: \$9,058.76; NDPers: \$2,165.92; Walmart: \$196.45; The Dickinson Press: \$116.70; Crop Production: \$35,909.81; Runnings Supply: \$18.47; George's Tire Shop: \$246.00; NDACO Resources: \$160.11; ND Industrial Co: \$38.00; Pump Systems: \$57.03; NDSU EXT Pesticide Service: \$130.00; Stark County Auditor (Federal Deposit) \$208.72;

9-1-1: Payroll: \$3,910.93; NDPers: \$1,335.36; City Of Dickinson: \$9,980.83; Century Link: \$1,612.56; Consolidated: \$551.00; Reservation Telephone: \$80.00; NDACO: \$11,665.08; Walmart: \$83.09; Stark County Auditor (Federal Deposit) \$275.20;

Adult Education: AG Communication: \$240.00;

Domestic Violence: State Treasurer: \$910.00;

Traf Safety Grant: Payroll: \$1,416.85;

Cops Grant 2011: Payroll: \$3,785.47; NDPers: \$889.68; Stark County Auditor (Federal Deposit) \$289.59;

Cops Grant 2009: Payroll: \$3,785.47; NDPers: \$889.68; Stark County Auditor (Federal Deposit) \$280.65;

Misc. Grants: Dean Krebsbach: \$188.70; Shayla Rekkedal: \$390.72; Theodore M Wanner: \$133.20;

SW Victim Witness Program: Payroll: \$4,736.22; SBM: \$52.68; NDPers: \$875.41; Consolidated: \$40.16; Stark County Auditor (Federal Deposit) \$346.93; AT&T Mobility: \$125.76;

Hazardous Chemical Corp: Dickinson Press: \$5.11;

DVRCC: Domestic Violence: \$787.50;

Preservation Fund: Consolidated: \$59.95; Payroll: \$122.04;

Siren Contingency: Roughrider Electric: \$190.00;

Other Reimbursements: Consolidated: \$182.00; Best West Plus Ramkota: \$138.00; Parkway Ford Sales: \$1,127.19; Pharm Chem Inc: \$63.00; Office of Attorney General: \$1,520.00;

Judgment Execution: Stark County Sheriff's Dept: \$100.00; Credit Bureau of Bismarck: \$653.00;

911 Equipment: Consolidated: \$55.58; Electronic Communications: \$4,265.00;

Comm. Wolf moved to authorize Chairman Zander to sign the NDDOT Contract for BRO-0045(042). Comm. Kuntz seconded. All voted Aye and the motion carried.

Sheriff Clarence Tuhy gave an update on the task force, court room security, monthly transports and radios to be updated.

Sheriff Clarence Tuhy announced the hiring of the new Truck Regulatory Patrol Deputy, Chris Coates.

Al Heiser, Road Superintendent, gave an update on roads, dust control and fuel budget.

Comm. Kuntz moved to approve out of state travel for Al Heiser and 3 other employees to Rapid City for a Conference. Comm. Elkin seconded. All voted Aye and the motion carried.

Tim Kelly, Kadrmas, Lee & Jackson, gave the Engineers Report.

Comm. Wolf moved to approve the delinquent property valuations as presented with the minimum opening bid beginning at the minimum value. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried. The delinquent property valuations are as follows:

Legal Description	Parcel ID #	Delinquent Taxes	Minimum Value
Lot 22 B 4 St Elizabeth	16-4001-02205-000	\$15.47	\$800
Lots 13, 15 B 35 OP	46-0001-06354-000	\$378.52	\$6,000.00
Lots 6, 7 B 2 O'Connors	46-0002-06385-000	\$5,853.03	\$6,000.00
Lots 23 N2, 24 B 13 O'Connors	46-0002-06516-000	\$4,948.67	\$6,000.00
Lot 1 B 20 O'Connors Resurvey	46-0003-06205-000	\$19,195.56	\$19,200.00

Chairman Zander opened the Public Hearing for Resolution #2012-01 Retail Licensing Fee for an Annual License to sell Alcoholic Beverages in Stark County. Chairman Zander asked for anyone to speak for or against the Resolution #2012-01. Chairman Zander closed the public hearing. Comm. Wolf moved to accept the Resolution #2012-01. Comm. Elkin seconded. Roll call vote. All voted aye and the motion carried.

Comm. Elkin moved to authorize Chairman Zander to sign a Quick Claim Deed for Lydia Boltz. Comm. Kuntz seconded. All voted Aye and the motion carried.

State's Attorney Tom Henning presented a letter from Jon Bogner on behalf of his client Brian Neurohr for the purchasing of some land located South of Gladstone of the Enchanted Highway. The Commission decided before accepting any offer they would want to have Tax Director Diane Brines look into what the fair market value would be for this acreage.

Roger Cymbaluk, Halliburton and Frank Kirsch, President of Richardton City Commission came in front of the Commission to inform them of the new Halliburton rail facility being built in Richardton.

Comm. Elkin moved to appoint Commissioner Kuntz to the State Fair Delegate from Stark County. Comm. Wolf seconded. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve the request from Rodney Kostelecky. The request was for a Conditional Use Permit for a one hundred foot free standing radio tower with antennas, cables, communication building, generator, and electric service to provide data transmission for oilfield communications. The location being in the NE4 Section 32, Township 140, Range 97 containing approximately ½ an acre. Comm. Elkin moved to approve the Zoning Boards recommendation to approve the Conditional Use permit for Rodney Kostelecky. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Al Heiser, Road Superintendent addressed the concerns brought forward from Roy Romanyshyn about the road easement on 32nd St SW. Al Heiser received a study from Highlands Engineering and he will go over the findings with Roy Romanyshyn and Whiting Oil.

Comm. Hoff presented a recommendation from the Zoning Board to approve the request from Brad Brennan. The request was for a zoning change from Agricultural to Residential to allow for a single-family home. The location being in the NE4 Section 26, Township 140, Range 97 containing approximately 8.89 acres. Comm. Hoff moved to approve the Zoning Boards recommendation to approve the zoning change from Agricultural to Residential with the two following criteria:

- Brad will need to provide a legal description of the property for the official record
- 100 ft of right away will need to be given to the county for possible future use.

Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Hoff presented a recommendation from the Zoning Board to approve the request from Keith and Jenn Buckman. The request was for a zoning change from Agricultural to Residential to allow for a single-family home. The location being in the SE4 Section 21, Township 140, Range 99 containing approximately 10 acres. Comm. Hoff moved to approve the Zoning Boards recommendation to approve the zoning change from Agricultural to Residential with the following criteria:

- 100 ft of right away will need to be given to the county for possible future use.

Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Reed Reyman, President/CEO St. Joseph's Hospital updated the Commission on the progress of the new hospital. Ground breaking will be held on October 5th, 2012.

Comm. Hoff moved to adopt the Zoning Ordinance, subject to final review for typos. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Wolf authorized the Sheriff and Emergency Manager to purchase the 15 radios. Funds will come out of the capital improvement fund, but shall not exceed \$54,000. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Elkin moved to approve the 2013 budgets as discussed. Comm. Wolf seconded. Roll call vote. All voted Aye and the motion carried.

The following **Miscellaneous Receipts** were filed: General: \$408,794.60; 10 Mill: \$32,466.59; County Road: \$359,935.84; Highway Tax Distribution: \$266,686.96; Special Road & Bridge: \$9,754.32; Social Services: \$81,941.68; County Poor: \$135,843.27; IT-Computer/Updates: \$355.84; Capital Improvement: \$294,797.91; Infrastructure: \$46,400.47; County Park: \$3,202.53; County Jail: \$24,768.33; Insurance: \$10,198.32; Comp Health: \$13,531.73; Emergency: \$3,251.44; VSO Fund: \$4,303.38; Social Security: \$21,504.46; Advertising: \$1,673.54; County Agent: \$7,654.82; Weed Control: \$29,913.89; 911 Revenue: \$32,406.22; Adult Education: \$50.00; Fingerprint Station: \$256.00; Domestic Violence: \$700.00; Saturation Patrol: \$1,335.00; Cops Grant 2009: \$15,919.56; Misc. Grants: \$712.62; Estimate Tax: \$9,950.09; Game and Fish: \$17,821.00; SW Victim Witness Program: \$11,470.65; Domestic Violence & Rape Crisis Center: \$787.50; Preservation Fund: \$29,361.00; State Reimbursements: \$50.00; Other Reimbursements: \$3,948.10; Judgment Execution: \$753.00; 911 Equipment: \$10,802.17;

Comm. Hoff moved to adjourn. Comm. Wolf seconded.

Kay Haag, Auditor

Ken Zander, Chairman